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 TO RODMAN/LORD FOR DR KISSINGER
 ZEM

T O P S E C R E T WH30640

ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

State Dept. review completed

TOHAK 264

TO: EYES ONLY FOR DR. KISSINGER
 FROM : AMBASSADOR GODLEY, VIENTIANE 714
 REF : WHITE HOUSE 30619

SUMMARY: SOUVANNA AND PHENG HAVE FORMALLY PROPOSED ON SEVERAL OCCASIONS A MILITARY CEASEFIRE. ON THE OTHER HAND, THE PRESENT LAO IN THE NEGOTIATIONS WITH THE RLG ONLY SURFACED FOR THE FIRST TIME ON FEBRUARY 17 A DE FACTO CEASEFIRE, PROCLAIMED BY THE TWO PARTIES, BUT WITHOUT A WRITTEN DOCUMENT. SOUVANNA REJECTED AN ORAL CEASEFIRE AGREEMENT. THERE REMAIN TWO COMPLICATING FACTORS TO THE SIGNING OF A MILITARY CEASEFIRE AGREEMENT:

A. THE PRECISE NAME FOR WHICH THE RLG REPRESENTATIVE SIGNS THE DOCUMENT.

B. THE LINKAGE OF THE WITHDRAWAL OF FOREIGN TROOPS TO THE MILITARY CEASEFIRE AGREEMENT. END SUMMARY.

1. HANOI'S MESSAGE SURFACES PRECISELY THE DIFFERENCES BETWEEN THE RLG AND THE LPF POSITIONS. HANOI PROPOSES THE FOLLOWING SCHEDULE:

AN IMMEDIATE CEASEFIRE WCD NOTHING ELSE, I.E. TOTAL CESSATION OF U.S. BOMBING ANYWHERE IN LAOS. WITHIN THIRTY DAYS AFTER THE CEASEFIRE THERE MUST BE ACHIEVED A POLITICAL AGREEMENT, OR IN OTHER WORDS, A GLOBAL AGREEMENT WHICH RESOLVES OUTSTANDING ISSUES BETWEEN THE TWO PARTIES. IT IS ONLY AT THIS TIME THAT THERE WOULD BE MENTION OF WITHDRAWAL OF FOREIGN TROOPS AND THIS SHOULD OCCUR, ACCORDING TO THE LPF, NINETY DAYS AFTER THE GLOBAL OR POLITICAL UNDERSTANDING. THUS, THE GLOBAL OR POLITICAL UNDERSTANDING WOULD BE REACHED WHILE ALL THE NORTH VIETNAMESE TROOPS WERE STILL IN LAOS BUT AFTER ALL USAF BOMBING HAD STOPPED. BLUNTLY PUT, THE RLG WOULD BE TALKING OUT OF JAIL. ANOTHER SIGNIFICANT IMPLICATION IS THAT IF THERE IS NO AGREEMENT ON POLITICAL ISSUES, THE FOREIGN TROOPS WOULD NOT REPEAT NOT BE WITHDRAWN.

2. THE RLG'S POSITION IS THAT IT DESIRES AS SOON AS POSSIBLE A CEASEFIRE, WHICH CEASEFIRE MUST ALSO INCLUDE A TIME FRAME, BE IT NINETY, SEVENTY-FIVE, SIXTY OR EVEN THIRTY DAYS, DURING WHICH ALL FOREIGN TROOPS WOULD BE WITHDRAWN FROM LAOS. UNABLE TO GET THE LPF TO AGREE TO DIVORCE THE TWO ASPECTS OF A CEASEFIRE, THE RLG THEREFORE HAD PROPOSED THAT THE CEASEFIRE INDICATE A TIME FRAME DURING WHICH A POLITICAL AGREEMENT MUST BE IMPLEMENTED. THE RLG THUS WANTS THE SHORTEST POSSIBLE PERIOD FOR THE TROOP WITHDRAWAL AND HOPEFULLY A LONGER PERIOD FOR THE FORMATION OF A COALITION GOVERNMENT. THE LPF, ON THE OTHER HAND, WANTS THE LONGEST POSSIBLE PERIOD FOR THE WITHDRAWAL OF TROOPS AND THE SHORTEST POSSIBLE PERIOD WITHIN

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WHICH THE POLITICAL AGREEMENT WOULD BE CARRIED OUT. SOUVANNA'S LAST PROPOSAL WAS THAT THE TROOPS SHOULD BE WITHDRAWN WITHIN SEVENTY DAYS OF THE CEASEFIRE AND THAT THE POLITICAL SOLUTION BE IMPLEMENTED WITHIN FORTY DAYS. THIS LATTER TIME FRAME IS A MAJOR CONCESSION ON HIS PART.

3. THE OTHER QUESTION RAISED IN REFTEL IS THE ACCUSATION BY HANOI THAT THE FAULT FOR THIS IMPASSE RESTS WITH THE RLG FOR NOT REPEAT NOT PROPOSING AN IMMEDIATE CEASEFIRE. TO CLARIFY THIS POINT, DEAN AND I CALLED ON SOUVANNA THIS MORNING. WE WENT OVER WITH HIM IN DETAIL HANOI'S MESSAGE AND ASKED PRECISELY WHEN THE RLG HAD PROPOSED AN IMMEDIATE CEASEFIRE. SOUVANNA LEFT THE ROOM TO GET HIS PRIVATE DIARY. FROM THIS HE READ HIS ENTRY OF FEBRUARY 12. THIS STATED THAT AT 11:30 AM FEBRUARY 12 HE CONVOKED PHOUMI VONGVICHIT AND PROPOSED TO HIM A FORMAL, WRITTEN, DE JURE CEASEFIRE. (THIS ACTION FOLLOWED MY VISIT TO LUANG PRABANG, DURING WHICH I READ TO SOUVANNA YOUR WHITE HOUSE 30414, AS REPORTED IN MY 689) ACCORDING TO SOUVANNA'S NOTES, PHOUMI REJECTED THIS PROPOSAL, INDICATING THAT HIS INSTRUCTIONS WERE TO HAVE A "COMPLETE AGREEMENT" AND NOT A "TRUNCATED" AGREEMENT, I.E. BOTH POLITICAL AND MILITARY ASPECTS MUST BE INCLUDED. PHOUMI, HOWEVER, AGREED TO REFER SOUVANNA'S PROPOSAL TO SAM NEUA.

4. ON THURSDAY, FEBRUARY 15, AT THE DINNER FOR BILL SULLIVAN, PHENG REAFFIRMED TO US THAT DURING HIS MEETING THAT DAY WITH PHOUMI, PHOUMI WAS STILL STICKING TO A "COMPLETE" AGREEMENT AND HAD PROPOSED A TROOP WITHDRAWAL WITHIN NINETY DAYS OF SIGNING A CEASEFIRE AND POLITICAL SETTLEMENT WITHIN THIRTY DAYS. SOUVANNA AT THAT TIME THEN SUGGESTED A SIXTY DAY PERIOD FOR BOTH ACTIONS.

5. AT 10:00 AM ON SATURDAY, FEBRUARY 17, PHOUMI PROPOSED TO SOUVANNA THE QUESTION OF AN IMMEDIATE CEASEFIRE FOR THE FIRST TIME AND PROPOSED A DE FACTO CEASEFIRE, I.E. WITH NO REPEAT NO DOCUMENT, WHICH WOULD MERELY BE "PROCLAIMED". SOUVANNA REJECTED THE OFFER, TELLING US HE HAD DONE SO FOR HE AGREED COMPLETELY WITH YOUR VIEWS SET FORTH YOUR WHITE HOUSE 30414.

6. AS OF THIS MOMENT, 1200 LOCAL, FEBRUARY 19, PHOUMI IS MEETING WITH PHENG.

7. A FURTHER COMPLICATING FACTOR REGARDING A WRITTEN CEASEFIRE IS THE FACT THAT SOUVANNA INDICATED TO US THAT EACH TIME A WRITTEN CEASEFIRE IS DISCUSSED WITH PHOUMI, HE IMMEDIATELY RAISES THE ISSUE OF HOW IT SHOULD BE SIGNED, I.E. "THE ROYAL GOVERNMENT" OR "THE VIENTIANE GOVERNMENT".

8. WHERE TO GO FROM HERE IS DIFFICULT. I BELIEVE, HOWEVER, IT BEHOVES THE RLG TO TABLE FORMALLY A MILITARY CEASEFIRE AGREEMENT SO THAT THE ONUS FOR REJECTING IT LIES SQUARELY ON THE SHOULDERS OF THE PATHET LAO. SUCH ACTION WOULD ALSO STRENGTHEN SOUVANNA'S HAND WITH THE RIGHT. THIS IS THE COURSE I SUGGESTED TO SOUVANNA. IN THIS WAY HANOI CANNOT ACCUSE THE RLG OF DELAYING A CEASEFIRE IN LAOS.

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9. WE, OF COURSE, ALSO MUST ASCERTAIN WHAT TRANSPIRES
BETWEEN PHENG AND PHOUMI IN THEIR CURRENT MEETING.
I THEREFORE WOULD LIKE TO HOLD IN ABEYANCE ADDITIONAL
RECOMMENDATIONS ON FUTURE ACTION UNTIL WE KNOW LATER ON
THIS AFTERNOON THE RESULTS OF THIS MEETING.

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